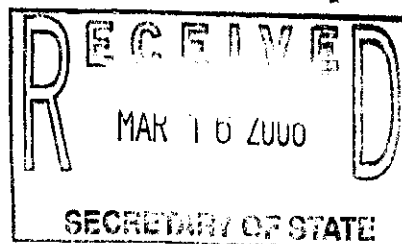


**AFFIRMATIVE**  
PUBLIC POLICY SOLUTIONS



**SWORN STATEMENT**

The undersigned, being first duly sworn, states under oath that the following are the names and street addresses of every person, corporation, or association sponsoring the Initiative Petition to consider a statute to affirm the sovereign right of Native American tribal governments to conduct gaming on Indian lands for economic and community development purposes:

Affirmative Public Policy Solutions  
10844 Old Mill Road, Suite 4  
Omaha, NE 68154

Omaha Tribe of Nebraska  
Eleanor Baxter, Tribal Chairperson  
100 Main Street  
Macy, NE 68039

Santee Sioux Nation  
Roger Trudell, Tribal Chairperson  
425 Frazier Ave N. Suite 2  
Niobrara, NE 68760

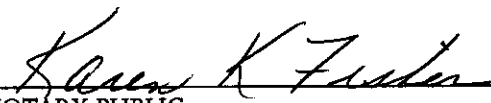
Winnebago Tribe of Nebraska  
John Blackhawk, Tribal Chairperson  
Blackhawk Community Center  
Hwy 77  
P.O. Box 687  
Winnebago, NE 68071-0687

  
\_\_\_\_\_  
Ben Thompson, Managing Partner  
Affirmative Public Policy Solutions

3/16/06  
\_\_\_\_\_  
Date

STATE OF NEBRASKA  
COUNTY OF Douglas

Subscribed and sworn to before me this 16 day of March, 2006.

  
\_\_\_\_\_  
NOTARY PUBLIC



**INITIATIVE PETITION**  
**(CONSTITUTIONAL AMENDMENT)**

**OBJECT STATEMENT: TO AFFIRM THE SOVEREIGN RIGHT OF NATIVE AMERICAN TRIBAL GOVERNMENTS TO CONDUCT GAMING ON INDIAN LANDS FOR ECONOMIC AND COMMUNITY DEVELOPMENT PURPOSES; TO OFFER PARTICIPATING ELIGIBLE TRIBAL GOVERNMENTS THE OPPORTUNITY TO OPERATE ONE CASINO OUTSIDE INDIAN LANDS ON SPECIFIED CONDITIONS AND IN LIEU OF GAMING ON INDIAN LANDS**

The following section shall be added as section 1 of a new Article XIX of the Constitution of Nebraska entitled, "Native American Tribal Governments":

XIX-1 (1) The people of Nebraska, in recognition of the sovereign right and responsibility of Native American tribal governments to promote the development of tribal economies and tribal communities, affirm and consent that a federally recognized tribal government having administrative headquarters in Nebraska as of January 1, 2006, may compact with the State of Nebraska, and the State of Nebraska shall so compact, to allow the operation of Class III gaming on its Indian lands pursuant to the federal Indian Gaming Regulatory Act, which Class III gaming includes, for purposes of 25 U.S.C. 2710(d)(1)(B), any Class III gaming allowed, as of the date compact negotiations are first requested, by any state adjoining Nebraska.

(2) The people of Nebraska hereby offer any tribal governments with administrative headquarters on federal Indian reservations in Nebraska, originally established by treaty prior to 1866 or by executive order prior to 1867, and existing as of January 1, 2006 (eligible tribal governments), the opportunity to exclusively own and operate, with other participating eligible tribal governments, if any, one casino (state-authorized casino) outside Indian lands, as defined at 25 U.S.C. 2703(4), that may offer any games of chance allowed, as of the date compact negotiations are first requested, by any state adjoining Nebraska, and such other games of chance independently authorized under Nebraska law, if each eligible tribal government choosing to participate agrees in a resolution of its governing body to:

(a) Refrain from exercising its sovereign and federal right to operate Class III gaming on its Indian lands within Nebraska pursuant to the federal Indian Gaming Regulatory Act while the state-authorized casino is in operation, unless one or more other state-authorized casinos are permitted in Nebraska;

(b) Share an equal interest in the state-authorized casino with other participating eligible tribal governments, if any, that agree to these conditions;

(c) Comply with rules and regulations governing the operation of the state-authorized casino as promulgated under subsection (3) of this section;

(d) For the purpose of resolving disputes relating to the operation of the state-authorized casino, either waive sovereign immunity from suit on a limited basis or operate such casino as a corporation or limited liability company chartered under the laws of Nebraska;

(e) Use any profits received from the state-authorized casino for tribal economic and community development purposes;

(f) Share revenue on an annual basis with the State of Nebraska in the amount of twenty-two percent of the net revenue from the state-authorized casino, in lieu of any otherwise applicable state annual gaming tax, if any;

(g) Share revenue on an annual basis with the county in which the state-authorized casino is located in the amount of two percent of the net revenue from the state-authorized casino, in lieu of any otherwise applicable state annual gaming tax, if any; and

(h) Share revenue on an annual basis with the Compulsive Gamblers Assistance Fund in the amount of one percent of the net revenue from the state-authorized casino, in lieu of any otherwise applicable state annual gaming tax, if any.

(3) The Charitable Gaming Division of the Department of Revenue, or another state entity later designated by the people or the Legislature, is exclusively authorized to regulate the operation of gaming conducted by any participating eligible tribal governments outside Indian lands under subsection (2) of this section. Initial rules and regulations shall be promulgated by March 31, 2007, and shall, to the extent feasible, be comparable to those rules and regulations of the National Indian Gaming Commission governing gaming on Indian lands pursuant to the federal Indian Gaming Regulatory Act.